

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11803-MLW

SHENIA DANCY-STEWART as
Administratrix of the Estate of EVELINE
BARROS-CEPEDA,
Plaintiffs,

v.

THOMAS TAYLOR, Jr., and the CITY
OF BOSTON,
Defendants.

**DEFENDANTS CITY OF BOSTON'S AND THOMAS TAYLOR'S MOTION FOR
DISCLOSURE OF
CRIMINAL OFFENDERS RECORD INFORMATION**

Defendants City of Boston and Thomas Taylor move this Honorable Court order the Commissioner of Probation for the Trial Court of the Commonwealth to provide to its attorneys, Helen G. Litsas, Special Assistant Corporation Counsel, Hollett Building, 38 Main Street, Saugus, MA 01906, and Evan C. Ouellette, Assistant Corporation Counsel, City of Boston Law Department, Room 615, City Hall, Boston, Massachusetts 02201, within 10 days of the date of such order, all Criminal Offender Record Information (CORD), including but not limited to certified records of convictions, for the persons listed below:

1. **TRAVO CARTER**

DATE OF BIRTH: 7/20/82
CURRENT ADDRESS: 19 Sumner Street, Apt. 2
Revere, MA 02151

2. **BRIMA WURIE**

DATE OF BIRTH: 2/22/79
CURRENT ADDRESS: 51 Speedwell Street #2
Dorchester, MA 02122

SSN: 019-72-XXXX

3. **CARLOS FERNANDES**

DATE OF BIRTH: 3/5/79
CURRENT ADDRESS: 32 Lonsdale Street
Dorchester, MA 02124

192 Westville Street, Apt. 1
Dorchester, MA

SSN: 013-64-XXXX

4. **LUIS CARVALHO**

DATE OF BIRTH: 11/12/80
CURRENT ADDRESS: 93 Howard Avenue, Apt. 1
Dorchester, MA 02125

SSN: 025-68-XXXX

5. **MARIA DEROSA**

DATE OF BIRTH: 3/4/81
CURRENT ADDRESS: 11 Greenheys Street
Dorchester, MA 02121

40 McLellan Street
Dorchester, MA

SSN: 013-62-XXXX

6. **JAMES NICHOLAS**

DATE OF BIRTH: 9/1980

CURRENT ADDRESS: 217 Notre Dame Avenue
Manchester, NH 03102-3943

SSN: 014-84-XXXX

8. **CARLOS CEPEDA**

DATE OF BIRTH: 9/1963

CURRENT ADDRESS: 75 Wayland Street
Boston, MA 02127

SSN: 014-58-XXXX

9. **EVELINE BARROS CEPEDA**

DATE OF BIRTH: 3/22/77

ADDRESS: 75 Wayland Street
Boston, MA 02127

10. **DOMINGAS DEPINA**

DATE OF BIRTH: 3/22/77

ADDRESS: 75 Wayland Street
Boston, MA 02127

11. **GABRIEL ROBALDO**

DATE OF BIRTH: 3/22/77

ADDRESS: 75 Wayland Street
Boston, MA 02127

In support of this motion, Defendant states the following

- 1) Pursuant to G.L. c. 6, § 172(c), the Criminal History System's Board has certified that CORI of prospective witnesses is to be made available to an attorney of record in a court proceeding when the CORI is to be used for trial strategy or impeachment.
 - 2) The CORI of the designated persons will only be used by the Defendants in this above-entitled action for trial strategy or trial witness impeachment purposes and will not otherwise be disclosed to any person who is not authorized to have access to CORI.
 - 3) The Commissioner does not oppose the Defendant's request for CORI but will not release the CORI without a Court order.
 - 4) The Commissioner is willing to subject himself to the jurisdiction of this Court for the limited purpose of this motion and any order that may be issued pursuant to this order.
- The Court is respectfully referred to the proposed orders annexed hereto.

Respectfully submitted,
DEFENDANTS,
THOMAS TAYLOR, JR. AND CITY OF
BOSTON,

By their attorneys:

/s/ Helen G. Litsas

Helen G. Litsas #644848
Special Assistant Corporation Counsel
Hollett Building
38 Main Street
Saugus, MA 01906
(781) 231-8090

Evan C. Ouellette, BBO # 655934
Assistant Corporation Counsel
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
(617) 635-4048

CERTIFICATE OF SERVICE

I, Helen G. Litsas, hereby certify that on this date I served a copy of the foregoing documents upon lead plaintiff's counsel, Andrew Stockwell-Alpert, by electronic filing and by postage prepaid, first class, U.S. Mail.

11/30/07

/s/ Helen G. Litsas

Date

Helen G. Litsas

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to L.R. D. Mass. 7.1(A)(2), I hereby certify that I have communicated with Plaintiff's Attorney, Andrew Stockwell-Alpert, regarding *Defendants Thomas Taylor and City of Boston's Motion for Disclosure of Criminal Offenders' Record Information Pursuant to Fed. R. Civ. P. 12(b)(6)*, and we were unable to resolve or narrow the issue prior to filing the above motion.

11/30/07 /s/ Helen G. Litsas

—
Date Helen G. Litsas

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THOMAS TAYLOR, Jr., and the CITY
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Defendants.

**ORDER FOR DISCLOSURE OF
CRIMINAL OFFENDERS RECORD INFORMATION**

Upon leave of court access is granted to the Defendants' counsel: Helen G. Litsas, Special Assistant Corporation Counsel, Hollett Building, 38 Main Street, Saugus, MA 01906, and Evan C. Ouellette, Assistant Corporation Counsel, City of Boston Law Department, Room 615, City Hall, Boston, Massachusetts 02201, to herein obtain certified copies of all of the criminal and probation records, and all documents related thereto, of the persons listed below:

1. **TRAVO CARTER**

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2. **BRIMA WURIE**

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By the court,

Dated: _____